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3 222 Kearny Street, Seventh Floor  
4 San Francisco, California 94108-4521  
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6 Facsimile: (415) 982-2042

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8 Attorneys for Defendant  
9 WHIRLPOOL CORPORATION  
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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ALAMEDA**

THE STANDARD INSURANCE  
COMPANY,

Plaintiff,

vs.

WHIRLPOOL CORPORATION and DOES 1  
to 50 inclusive,

Defendant.

No. RG07325813

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that a Notice of removal of this action will be filed in the United States District Court for the Eastern District of California on July 27, 2007.

A copy of said Notice of Removal is attached to this Notice as Exhibit A, and is served and filed herewith.

DATED: July 27, 2007

ADAMS | NYE | SINUNU | BRUNI | BECHT LLP

By: 

BRUCE NYE  
Attorneys for Defendant  
WHIRLPOOL CORPORATION

**PROOF OF SERVICE**

I am over the age of eighteen years, not a party to the above-captioned matter, and employed by Adams | Nye | Sinunu | Bruni | Becht LLP at 222 Kearny Street, Seventh Floor, San Francisco, California, where the service described below took place on the date set forth below.

**Person(s) Served:**

Shawn C. Moore, Esq.  
ELIE & ASSOCIATES  
11070 White Rock Road, Ste. 200  
Rancho Cordova, CA 95670  
Tel: (916) 638-6610  
Fax: (916) 638-6607

**Document(s) Served:**

**NOTICE OF REMOVAL**

**Manner of Service:**

☒ **Mail:** I am readily familiar with my employer's practice for the collection and processing of correspondence for mailing with the United States Postal Service: such correspondence is deposited with the United States Postal Service on the same day in the ordinary course of business in the county where I work. On the date set forth below, at my place of business, following ordinary business practices, I placed for collection and mailing by deposit in the United States Postal Service a copy of each Document Served, enclosed in a sealed envelope, with the postage thereon fully prepaid, each envelope being addressed to one of the Person(s) Served, in accordance with Code of Civil Procedure 1013(a).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 27, 2007

Signature

MARIA T. SANCHEZ

1 BRUCE NYE, SBN 77608  
2 ADAMS | NYE | SINUNU | BRUNI | BECHT LLP  
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3 San Francisco, California 94108-4521  
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5 Attorneys for Defendant  
WHIRLPOOL CORPORATION

6  
7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT, CALIFORNIA

10  
11 THE STANDARD INSURANCE  
12 COMPANY,

13 Plaintiff,

14 vs.

15 WHIRLPOOL CORPORATION and DOES 1  
to 50 inclusive,

16 Defendant.

No.:

**NOTICE OF REMOVAL**

(Alameda Superior Court No. RG07325813)

17  
18 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

19 Defendant Whirlpool Corporation hereby files this Notice of Removal of the above entitled  
20 action to the United States District Court for the Northern District of California, from the Superior  
21 Court of the State of California for the County of Alameda where the action is now pending as  
22 provided for by Title 28, U.S. Code, Chapter 89, and states:

- 23 1. This action is a civil action for negligence and product liability, and the United States  
24 District Court for the Northern District of California has jurisdiction by reason of the  
25 diversity of citizenship of the parties.
- 26 2. At all times relevant to this Notice and on May 14, 2007, when the action was  
27 commenced in the Superior Court of the State of California, Defendant Whirlpool  
28 Corporation was, and now is, a corporation organized, formed and incorporated in

1 and under the laws of the State of Delaware, having its principal place of business in  
2 the State of Michigan.

3 3. As alleged in the Complaint, at all times relevant to this Notice, and on May 14,  
4 2007, when the action was commenced in the Superior Court of the State of  
5 California, Plaintiff The Standard Fire Insurance Company was a corporation  
6 organized, formed and incorporated in and under the laws of the State of  
7 Connecticut, having its principal place of business in the State of Connecticut.

8 4. There are no named parties in this matter other than Plaintiff The Standard Fire  
9 Insurance Company and Defendants Whirlpool Corporation. and DOES 1-50,  
10 inclusive. The citizenship of the fictitiously named defendants is irrelevant for  
11 removal purposes. See 28 U.S.C. § 1441(a).

12 5. As more fully described below, this Court has jurisdiction over this action, pursuant  
13 to 28 U.S.C. § 1332, because it is a civil action in which the amount in controversy  
14 exceeds the sum of \$75,000, exclusive of costs and interest, and complete diversity  
15 of citizenship exists between the properly joined parties. Specifically, the Complaint  
16 alleges that Plaintiff has sustained damages in the sum of \$169,239.46 exclusive of  
17 prejudgment interest.

18 6. Defendant Whirlpool Corporation received its first notice of this matter when it was  
19 served by process on June 28, 2007, less than thirty days before the filing of this  
20 notice.

21 7. A copy of all process, pleadings and orders served upon Defendant is filed with this  
22 notice.

23 8. Defendant will give written notice of the filing of this notice as required by 28 U.S.C.  
24 § 1446(d).

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1 9. A copy of this notice will be filed with the clerk of the Superior Court in and for the  
2 County of Alameda, as required by 28 U.S.C. § 1446(d).

3 WHEREFORE, Defendant requests that this action proceed in this Court as an action  
4 properly removed to it.

5  
6 DATED: July 27, 2007

ADAMS | NYE | SINUNU | BRUNI | BECHT LLP

7  
8 By: \_\_\_\_\_

9 BRUCE NYE  
Attorneys for Defendant  
10 WHIRLPOOL CORPORATION  
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**Document(s) Served:**

**NOTICE OF REMOVAL**

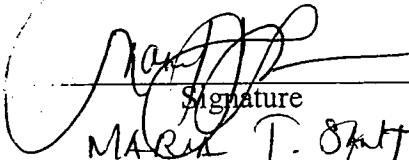
**Manner of Service:**

X

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: July 27, 2007

  
\_\_\_\_\_  
Signature  
MARIA T. Sotomayor